

From: Howard, Jodi
Sent: Thursday, September 22, 2016 04:11 PM
To: Garwood, Gerri
Subject: FW: Rule Clarification Request

From: Johnson, Steffan
Sent: Thursday, September 22, 2016 11:35 AM
To: Caparoso, Jennifer <Caparoso.Jennifer@epa.gov>;
Cc: Shappley, Ned <Shappley.Ned@epa.gov>; Dewees, Jason
<Dewees.Jason@epa.gov>; Segall, Robin <Segall.Robin@epa.gov>; Howard, Jodi
<Howard.Jodi@epa.gov>;
Subject: FW: Rule Clarification Request

Jennifer,

Please read through the e-mail chain below and feel free to schedule us for a meeting to discuss.

Thank you!

Stef

From: Howard, Jodi
Sent: Thursday, September 22, 2016 11:33 AM
To: Johnson, Steffan <johnson.steffan@epa.gov>;
Cc: Shappley, Ned <Shappley.Ned@epa.gov>; Dewees, Jason
<Dewees.Jason@epa.gov>; Segall, Robin <Segall.Robin@epa.gov>;
Subject: RE: Rule Clarification Request

OK. Jennifer Caparoso is now leading this effort so please include her in these discussions.

From: Johnson, Steffan
Sent: Thursday, September 22, 2016 11:29 AM
To: Howard, Jodi <Howard.Jodi@epa.gov>;
Cc: Shappley, Ned <Shappley.Ned@epa.gov>; Dewees, Jason
<Dewees.Jason@epa.gov>; Segall, Robin <Segall.Robin@epa.gov>;
Subject: RE: Rule Clarification Request

Jodi,

Ex. 5 Deliberative Process (DP)

Meanwhile, let's meet to talk this through.

Thanks,

Stef

From: Howard, Jodi

Sent: Thursday, September 22, 2016 11:06 AM

To: Johnson, Steffan <johnson.steffan@epa.gov>;

Subject: FW: Rule Clarification Request

What do you think?

From: Howard, Jodi

Sent: Thursday, September 22, 2016 10:27 AM

To: Lassiter, Penny <Lassiter.Penny@epa.gov>;

Subject: RE: Rule Clarification Request

Ex. 5 Deliberative Process (DP)

From: Lassiter, Penny

Sent: Thursday, September 22, 2016 10:23 AM

To: Howard, Jodi <Howard.Jodi@epa.gov>; Caparoso, Jennifer
<Caparoso.Jennifer@epa.gov>;

Subject: RE: Rule Clarification Request

Ex. 5 Deliberative Process (DP)

From: Howard, Jodi

Sent: Thursday, September 22, 2016 10:17 AM

To: Lassiter, Penny <Lassiter.Penny@epa.gov>; Caparoso, Jennifer
<Caparoso.Jennifer@epa.gov>;

Subject: FW: Rule Clarification Request

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Current VVa Reg. Text:

“(2) A calibration drift assessment shall be performed, at a minimum, at the end of each monitoring day. Check the instrument using the same calibration gas(es) that were used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 of this part, Section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. Record the instrument reading for each scale used as specified in §60.486a(e) (7). Calculate the average algebraic difference between the three meter readings and the most recent calibration value. Divide this algebraic difference by the initial calibration value and multiply by 100 to express the calibration drift as a percentage. If any calibration drift assessment shows a negative drift of more than 10 percent from the initial calibration value, then all equipment monitored since the last calibration with instrument readings below the appropriate leak definition and above the leak definition multiplied by (100 minus the percent of negative drift/divided by 100) must be re-monitored. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment since the last calibration with instrument readings above the appropriate leak definition and below the leak definition multiplied by (100 plus the percent of positive drift/divided by 100) may be re-monitored.”

From: Poindexter, Zachary [mailto:zachary.poindexter@beis.com]

Sent: Thursday, September 22, 2016 9:59 AM

To: Howard, Jodi <Howard.Jodi@epa.gov>;

Subject: Fw: Rule Clarification Request

Jodi,

Please see below for the response from Cynthia Kaleri regarding the VVa calibration requirements.

What is my next step to move forward? Does the actual language in VVa have to be changed or is there a different type of formal request I can make?

I want to continue working toward the original goal of doing daily calibrations according to the original VV or OOOO but I'm unsure of what my next step should be. Any

assistance you can provide would be very helpful.

Thank you for your time!

Zachary Poindexter

Area Supervisor

Industrial Specialty Services-ISS

Office: 870-864-1153 Cell: 870-866-3490

Email: zachary.poindexter@beis.com

From: Kaleri, Cynthia <kaleri.cynthia@epa.gov>;

Sent: Wednesday, September 21, 2016 4:31 PM

To: Poindexter, Zachary

Cc: Chen, Justin; Larson, Darrin; Osbourne, Margaret

Subject: RE: Rule Clarification Request

Hi Zachary,

Our Office of Enforcement and Compliance Assurance (OECA) actually came back to both us and Jodi and determined that the region couldn't issue a letter on this issue as Jodi had proposed. Jodi is with our Office of Air Quality Planning and Standards (OAQPS) the rule writers whereas OECA is the authority on rule implementation and enforcement after a rule is final. So there was a bit of internal discussion after we last spoke, pertaining to the ability of EPA to even issue such a response when the rule has NOT been revised formally for such a change. I apologize for us not getting back to you on this. It looks like ya'll will have to keep submitting the way you have historically, unless OAQPS changes the rule.

Cynthia J. Kaleri

Enforcement Officer, EPA Region 6

Phone (214) 665-6772

Mailing Address

Attention: Cynthia J. Kaleri (6EN-AA)

United States Environmental Protection Agency

1445 Ross Avenue

Dallas, TX 75202-2733

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From: Poindexter, Zachary [mailto:zachary.poindexter@beis.com]

Sent: Monday, September 19, 2016 3:08 PM

To: Kaleri, Cynthia

Subject: Re: Rule Clarification Request

Cynthia,

Just wanted to check on the status of this request.

Thank you for your time!

Zachary Poindexter

Area Supervisor

Industrial Specialty Services-ISS

Office: 870-864-1153 Cell: 870-866-3490

Email: zachary.poindexter@beis.com

From: Kaleri, Cynthia <kaleri.cynthia@epa.gov>

Sent: Monday, July 18, 2016 2:33:00 PM

To: Poindexter, Zachary

Subject: RE: Rule Clarification Request

No worries, Justin came and ask me and we just must have cross wires. We just needed a written request and have had other letters that went to the rule lead instead of Steve. We can work with the letter we have! Thanks,

Cynthia J. Kaleri

Acting Section Chief (6EN-AA), EPA Region 6

Phone (214) 665-6772

Mailing Address

Attention: Cynthia J. Kaleri (6EN-AA)

United States Environmental Protection Agency

1445 Ross Avenue

Dallas, TX 75202-2733

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From: Poindexter, Zachary [mailto:zachary.poindexter@beis.com]

Sent: Monday, July 18, 2016 3:30 PM

To: Kaleri, Cynthia

Subject: Re: Rule Clarification Request

Cynthia,

I can change the letter if I need to, it no problem. Mr. Chen told me this morning to send the letter to him, then he called me back and told me to email Mr. Thompson. I just went ahead and attached the letter since I had it written. If I need to do anything different just let me know.

Thanks

Zachary Poindexter

Area Supervisor

Industrial Specialty Services-ISS

Office: 870-864-1153 Cell: 870-866-3490

Email: zachary.poindexter@beis.com

From: Kaleri, Cynthia <kaleri.cynthia@epa.gov>

Sent: Monday, July 18, 2016 2:26:29 PM

To: Poindexter, Zachary

Cc: Chen, Justin; Leblanc, Kevin; Thompson, Steve

Subject: RE: Rule Clarification Request

Hello Zachary,

Steve is the delegated authority for the regional office and is typically the addressee on such written requests, but his staff (Justin and myself) will help in actually drafting a response. No need to change your letter – we just needed a written request in order to coordinate w/others and respond formally. Thanks,

Cynthia J. Kaleri

Acting Section Chief (6EN-AA), EPA Region 6

Phone (214) 665-6772

Mailing Address

Attention: Cynthia J. Kaleri (6EN-AA)

United States Environmental Protection Agency

1445 Ross Avenue

Dallas, TX 75202-2733

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From: Poindexter, Zachary [mailto:zachary.poindexter@beis.com]

Sent: Monday, July 18, 2016 12:49 PM

To: Thompson, Steve

Cc: Chen, Justin; Kaleri, Cynthia; Leblanc, Kevin

Subject: Rule Clarification Request

Steve,

I spoke with Justin Chen this morning and he told me to forward this request to you.

Thanks

Zachary Poindexter
Area Supervisor
Industrial Specialty Services-ISS
Office: 870-864-1153 Cell: 870-866-3490
Email: zachary.poindexter@beis.com

From: Kaleri, Cynthia <kaleri.cynthia@epa.gov>
Sent: Thursday, July 7, 2016 12:21 PM
To: Poindexter, Zachary
Cc: marcia.mia@epa.gov; Howard, Jodi; Leblanc, Kevin
Subject: RE: Applicability Determination Request

Hello Zachary,

What you are requesting is merely clarification of a rule provision, not an Applicability Determination (AD). ADs are formal determinations requested from EPA that answer the question of whether or not an entire rule subpart applies to a specific facility.

I just wanted to let you know that we don't respond to informal AD requests (via e-mail or phone) due to the nature of these type projects, but since what you are requesting is not in fact an AD, I'll try to get some clarification for you, on the specific provision that you have indicated you need help on. Since I will be conferring with Jodi, it may take some time to get your answer. Thanks for your patience!

Cynthia J. Kaleri
Acting Section Chief (6EN-AA), EPA Region 6

Phone (214) 665-6772
Mailing Address
Attention: Cynthia J. Kaleri (6EN-AA)
United States Environmental Protection Agency
1445 Ross Avenue
Dallas, TX 75202-2733

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From: Poindexter, Zachary [mailto:zachary.poindexter@beis.com]
Sent: Thursday, July 07, 2016 1:05 PM
To: Kaleri, Cynthia
Cc: marcia.mia@epa.gov; Howard, Jodi; Leblanc, Kevin
Subject: Applicability Determination Request

Cynthia,

I'm requesting an applicability determination regarding §60.485a(b)(2). After speaking with Jodi Howard, its my understanding that some the language in this section was a copy of the certification section and was not originally intended to be in the daily calibration section. Mrs. Howard confirmed that and told me that it had been corrected in §60.5401g. I have several clients that are subject to VVa but not OOOO or OOOOa. We are currently doing daily drift checks as §60.485a(b)(2) dictates, if that's not required I would like to follow §60.5401g. However I need something in writing to provide to my clients before we change how we do the daily calibrations.

I appreciate your time.

Sincerely

Zachary Poindexter

Area Supervisor

Industrial Specialty Services-ISS

Office: 870-864-1153 Cell: 870-866-3490

Email: zachary.poindexter@beis.com